

1859-010 Chancery Causes: John W. S. Morison vs. Timothy Sisk
Lee Co.

CA-Debt
T-Property

To the Worshipful, the County Court of
See County, in Chancery, sitting.

The bill of complaint of John W. S. Morison
respectfully represents that your Orator is the
judgment creditor of one Timothy Sisk, in his own
right was the assignee of the firm of Jno W. S. Morison
& Co., and the firm of Jno W. S. & Wm. H. Morison June
that on said judgments, executions have been
issued & returned by the officer "no property found",
on which to levy said executions, that said Sisk
was summoned before John D. Sharp, a Commissioner
in Chancery for See County Virginia, to answer
interrogatories, under the 5th, 6th & 7th sections of Chapter
188 of the Code of Virginia, that said Sisk appeared, in
obedience to said summons & gave up to satisfy the
said debts, a House & lot in Jonesville, See County
Virginia, ~~then owned & designated in the plat of said~~
~~town as lot, NO 13.~~ ^{But erroneously described by answers as lot NO 13} The debt due to your Orator
in his own right, is for \$60. on which judgment
for the debt, principle interest & costs was obtained
at the June term of See County Court; the debt
due to him by assignment from Morison, Sen.
was for \$58.97, on which judgment was also
obtained at the June term of the County Court
of See for the principle, interest & costs; the
debt due to him by assignment from Jno W. S.
& Wm. H. Morison June was \$33.10, on which judgment
was obtained before R. Cook, justice of the peace
in & for See County for the principle, interest and
cost, on the 10th day of December 1857, which judgt
is herewith filed. This ~~judgt~~ judgt has on it a credit
of \$4.50 at the date thereof. Which judgt is herewith
filed, & Copies of which judgts mentioned above of
County Court are also herewith ^{filed} & all made part
of this bill, together with his answers to the interroga-

interrogatories filed in each Case, your Orator avers that there are so many debts due by judgment and owing

Your Orator, therefore being without an adequate remedy at Common Law, & relievable only in Equity, prays your worshipful Body ^{that} render a decree subjecting said house & lot to the payment of the debts aforesaid, that a Commission be appointed to sell the said house & lot on such terms as shall seem to you best and apply the proceeds to the payment of the said debts, principle, interest and all Costs, both of the actions at law, the Costs before the Court & whatever costs may accrue in this suit, & pay the surplus if any to the said Sisk.

And may your Worshipful Body grant to your Orator such other & further relief as may be consistent with Equity & good Conscience. And your Orator will ever pray &c.

May the Court at this writ of Sp. issue &c.

Sharp for Plaintiff

Sisk be made a party defendant to the bill of interogatories in the form of interrogatories.

the same with the said judgments &c.

by said bill the said judgments be made on each party that 5 years part of the same would not pay

J. W. S. Morrison
vs Bill in Chy
Timothy Sisk

~~Aug. 16 1858 Bill filed~~

Sept. Rules. 1858. Bill filed.

Oct. Continued

Nov. Set for hearing by Plaintiff

Dec. Term. Issue granted to answer

Jan. Dec. Continued

1859. Jan. Rules continued.

" Term. Decree.

" April Rules continued.

c	3.20
"	3.00
"	1.00
"	1.00
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	10.20

John W. S. Morison)

^{vs}
Timothy Sisk.

In Chancery.

This Cause came on this 1stth day of January 1859, and was heard on the bill of Complainant, and the exhibits filed in the Cause and it appearing that the Subpoena and amended Subpoena had been duly executed on the Defendant Sisk according to law, and he not appearing, and not having answered the said bill & amended bill, ^{said bill & amended bill is taken for confessed} within the time required by law, it is therefore ordered, adjudged & decreed ~~that~~ that he pay the said debts in the bill mentioned to Comptt and that John D. Sharp be appointed a Commissioner, whose duty it shall be to sell the said house & lot mentioned in said bill, to the highest bidder on a credit of six months, the purchaser giving bonds ~~with~~ with approved security, after giving 30 days public notice, by posting an advertisement for that purpose, on the front door of the Court house of Lee County, said bonds being taken payable to himself as Commissioner, and out of the proceeds of said sale to pay the said debts, principles, interest & costs, and ^{and also the costs of sale} the Costs of this Suit, ^{and} report to Court.

J. W. S. Morison
Decres
Timothy Sisk

1859. January Term
Order Book 260

Answers of Timothy Sisk to the interrogato-
ries filed by Jno W. S. & Wm H. Morison filed
with me, a ~~Commit~~ in Chancery, against
him, on a judgment for \$33.10 with interest
from the 10th Decr 1857 till paid & \$0.30 costs.
rendered before me on the 29th December 1857
after being duly sworn by me.

Jno D. Sharp, Commr in
Chancery

1st. I have ~~land~~ a house & lot on the hill
by Methodist Church.

2nd. I have no personal property.

3rd. I have no money, or Bank notes.

4th. I have an account of about \$6.00, on John
Riddle, a rect by N M. Scott late Constable
in the hands of S S. Crockett, and sundry other
debts also in the hands of S S. Crockett.

Sworn to before me on the 29th Decr
1857;

Jno D. Sharp
Commr in Chancery

Wm M. Morrison
vs } Answers
Jim Sisk

Answers of ^{Mr} Timothy Sisk on oath to the interrog-
~~atories~~ ^{John W. S. Morrison and of} of Morrison Son & Co^s filed against him
taken before John D. Sharp Commr in Chancery
on the 22nd Sept 1857.

I have a house & lot in Jonesville (Lot No 13)

Timothy Sick
add 3 Andrews
John W. D. Morison
Morison & Co.

Virginia Lee County to wit
To the Sheriff of Lee County Virginia
you are hereby commanded to summon Timothy
Sisk to appear before me on the 8th day of September 1857
at Jonesville to answer on oath the interrogatories
filed with me by Morrison, Son & Co against
him on a judgment for \$58.97. obtained at the
June term of Lee County Court. a copy of which
judgment is herewith enclosed. And then & there
return how you have executed this process.
Given under my hand, this August 28th 1857.
John D. Sharp Commr in Chg

Interrogatories filed with Commissioner John D.
Sharp, by Morrison, Son & Co, which Timothy Sisk is
required to answer on oath.

1st. Have you any individual personal property?
If so, state what & where it is.

2nd. Have you any real property, or any interest
therein, or any benefit, use, or advantage growing
out of any such real property? If so state where
& what it is, & its value.

3rd. Have you any partnership effects, such as
notes, accounts, stock, tools, utensils &c.? If so state
what effects you have, in whose hands they are,
of what value they are, & what interest you have
in them.

26th August 1857.

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\$106
\$159
John D. Sharp, John D. Sharp, John D. Sharp
John D. Sharp John D. Sharp John D. Sharp

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Morrison, Son & Co
Summons
vs Judgment
Interrogatories
Timothy Sick

Executed by
given a copy of
the within to the
defendant

John H. Allen
Att

Commor fee	\$1.50
Const fee	.30
Sheriffs fee	1.00
	<hr/>
	\$2.80

I hereby acknowledge legal service of the within
Summons to September 11th Inst. September 8th
Timothy Sick
1857.
mark

Virginia, Lee County to-wit, —

To A R Russell, Constable of district, in said County.

I hereby Command you to summon Timothy Sisk to appear before me, at Jonesville, on the day of December 1857, to answer, on oath, the interrogatories filed with me, by John W. S. Morison and William H. Morison Jr, on a judgment obtained by them against him before A R. Cook, a copy of which is herewith served on him. And then & there return how you have executed this process. Given under my hand, this 28th December 1857.

John D. Sharp Commr in Chy

Interrogatories filed with John D. Sharp, Commr in Chy by J W. S. and Wm H. Morison Jr, which Timothy Sisk is required to answer on oath.

1st. What land, or interest in land, either in, or out of, this state, have you?

2nd. What personal property, or interest in personal property, have you, either in your own possession, or in the possession of any other person for you?

3rd. What money, or bank notes have you?

4th. What judgments, bonds, notes, accounts, or other evidences of debt, have you, or have you an interest in?

5th. What other property, of any kind soever, not embraced in the preceding interrogatories, have you, or have you an interest in?

J. W. S. Wm. A. Marison Jr
Summons
vs judgment
Interrogatories
Timothy Sisk

Executed Dec 29th
1857 E. B. Crockett Es.

Sheriff's Cost .50
Const Cost .20
Commr Cost 1.50

\$2.30

Virginia Lee County to-wit
To the Sheriff of Lee County Virginia
You are hereby commanded to Summon Timothy
Sisk to appear before me on the 8th day of September 1857,
at Jonesville, to answer on oath the interrogatories filed
with me, by Morison, ~~son of~~ against him on a judgment
for \$60.00, obtained at the June Term of the County Court of
Lee, a Copy of which judgment is herewith enclosed.
And then & there return how you have executed this
process. Given under my hand, this August 28th 1857.
John D. Sharp, Commr in Chy

Interrogatories filed with Commissioner, John
D. Sharp, by Morison, Son & Co which Timothy
Sisk is required to answer on oath.

1st. Have you any individual personal property?
If so, state what ~~it is~~ & where it is.

2nd. Have you any real property, or any interest there-
in, or any benefit, use, or advantage growing out of
any such real property? If so, state where & what
it is, and its value.

3rd. Have you any partnership effects, such as
notes, accounts, Stock, tools, utensils &c.? If so,
State what effects you have, in whose hands they
are, of what value they are, & what interest you
have in them.

26th August 1857.

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Morison, Son Heo
Summons
Judgment
Interrogatories
Timothy Sisk

Executed by giving
a true copy of the within
to the defendant

Just H. A. Law

Comm^{ss} fee

1/50
Sheriff's fee

50 Same

Constable's fee

30
2.80

I hereby acknowledge legal service of the within
summons to September 11th Inst. September 8th
1857.
Timothy Sisk
his mark

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—Greeting:

WE COMMAND YOU TO SUMMON

Timothy Sisk

to appear before the ~~Sheriff~~ ^{justice} of our ~~Chancery~~ ^{county} Court for Lee county, at the Court House, *on the 1st Monday*
in September next _____ to answer
a bill in Chancery exhibited in our said Court against *him* by *John W. S. Morrison*

And have then there this writ. WITNESS, ~~John W. S. Morrison~~ ^{*Henry J. Morgan*}, Clerk of our said Court, at the Court House,
this *17th* day of *August* 1858, in the *88th* year of the Commonwealth.

H. J. Morgan, C. C.

John W. S. Morrison

vs } Spain Chy

Timothy S. B

Sept. Rules 1858,

Executed August 30th 1838

E. B. Crockett J. for
J. H. Allen S. & C.

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY, Greeting:

WE COMMAND YOU TO SUMMON

Timothy Sisk

County

to appear before the Judge of the Circuit Court for Lee county, at the Court-house,

on the first ^{day} of the ~~day~~ April Term next

to answer a bill in Chancery

exhibited in our said Court against *him* by *John W. S. Morison*

And have then there this writ Witness, J. W. S. MORISON, Clerk of our said Court, at the Court-house, this
18th day of *March* 1858, in the *82nd* year of the Commonwealth.

J. W. S. Morison

J. W. S. Morison
Sp^{er} in, chy

Timothy Sisk

April Term 1838

Executed March 30
1838

W. B. Crockett
for J. H. Allen

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING:

WE COMMAND YOU TO SUMMON

Timothy Sisk

to appear before the Justices of our County Court for Lee County, at the Court House, *on the 1st day*

of the next December term -

to answer

an amended
a bill in Chancery exhibited in our said Court against

him

by

John W. Morrison

And have then there this writ.

WITNESS, HENRY J. MORGAN, Clerk of our said Court, at the Court House, this

8th

day of

December

1858, in the

83rd

year of the Commonwealth.

H. J. Morgan C. C.

J. H. Morison

85 { Amended
Spa in Chy

Timothy Sisk

Dear Tim 1858

Received Dec 13th 1858

\$13 to Mr. K. H. Sisk

J. H. Allen S. L.